

REMARKS

This is in response to the Office Action dated April 22, 2004

The Office Action is responsive to a communication filed on February 3, 2004

The Office Action is non-final.

Disposition of Claims

Claims 2, 4-10 and 21-32 are pending in the application.

Claims 2, 4-7 and 25-32 are rejected.

Claims 8-10 and 21-24 are allowed.

Claims 7 and 25-32 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 as amended did not present a claim number from which the claim depends. Claim 7 has been amended to depend from claim 4 and therefore this rejection should be withdrawn.

Line 1 of claim 25 refers to "Method of A method". Claim 25 has been amended by deleting "Method of" and therefore this rejection should be withdrawn.

Claims 2, 4 and 5 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Black et al. (US 3,389,032). The Office Action stated that "Black et al. discloses a method for aligning multiple building drums moving through multiple building stations in which the drums are moved through the stations with the drum axis coincident with the working axis through the stations — note esp. "F", "G", "J", "K", "L", "M" in fig. 1 as well as col. 14, lines 19-22. Further, the drums ride on a rail system of two rails, one of the rails having a flat shape while the other rail has an inverted v-shape — note esp. figs. 5-6. By virtue of the flat and v-shaped rails and their associated rollers, this reference further is considered to be vertically aligning with both rails/rollers while laterally aligning with only the v-shaped rollers/rails as claimed. Further, it is considered that the drum carriers 'A' independently move along the rails, their being no positive or permanent interconnection between the carriers and thus independent movement is considered to be present. Further, although this is not considered to be the case, even

if it were considered that the carriers were not independently moved, it is submitted that it would have been obvious to provide such a capability for independent movement of the drums to provide the plant with extra flexibility in terms of accommodating different cycle times, etc. at the various work stations, it being stressed that a major goal of the Black et al. system is to provide a versatile and flexible building system that can build different tires on the same line -none but the expected results would have been achieved."

Applicant respectively disagrees that the tire building drums of the '032 patent independently move along the rails, as set forth in independent claim 4. As stated on column 10 line 58 to column 11 line 29 of the '032 patent, each of drums has locking fingers that lock them together. Further, there is a line of interconnected drums designated as 8. Accordingly, tire building system of the '032 patent, specifically requires that the drums be interconnected and do not operate independently move along the rails. Further, the '032 patent is directed to having 80 tire building drums (column 10 lines 64-65). It's not practical for a tire line to be large enough to incorporate 80, independently operated drums. Moreover, if the '032 patent were operated with independently operated tire drums, the system would have to be completely changed such as removing the drum loader 7 which is currently an integral part of the system. Thus operating the tire drums independently in the system of the '032 patent would cause the system not to operate in accordance with it's intended function and purpose, that of being able to manufacture a large number of tires at the same time on a single line. Accordingly, the rejection of independent claim 4 based on the '032 patent should be withdrawn.

Claims 2 and 5 depend upon claim 4 and are therefore allowable for the same reasons.

Claim 6 (which depends upon claim 5) is rejected under 35 U.S.C. 103(a) as being unpatentable over Black et al. (US 3,389,032) taken in view of JP 2001-247037 to Shimizu and/or Chouinard (US 2,336,596).

Neither JP 2001-247037 to Shimizu and/or Chouinard (US 2,336,596) teach or suggest overcome the lacking in the Black et al patent regarding 3,389,032) taken in view of Hoehn et al. (US 4,718,810).

Claims 7 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Black et al. (US 3,389,032) taken in view of Hoehn et al. (US 4,718,810).

Claim 7 depends upon claim 4 and are therefore allowable for the same reasons.

Black et al. is applied as above, this reference teaching a process as defined in claims 7 and 25 except that this reference provides drum carriers "A" but they do not seem to be self propelled vehicles/carriers.

Claim 25 sets forth "independently moving each tire building drum with a self-propelled vehicle traveling on a rail system".

As discussed with regards to claim 4, the '032 patent does not teach or suggest independently moving each of the drums through the system. Instead, the '032 patent specifically requires that the drums be interconnected with each other. Therefore, if one were to modify the '032 patent so that the drums were to move independently of each other, the system would no longer operate according to its intended purpose. Moreover, there is no reason to modify the '032 patent so that the tire building drums are moved by self propelled vehicles/carriers as taught in the '810 patent. In fact if such a modification were made, the tire building system disclosed in the '032 patent would no longer operate according to its intended purpose. Accordingly, the rejection of claim 25 should be withdrawn.

Claims 26-29 depend upon claim 25 and are therefore allowable for the same reasons.

Claims 8-10 and 21-24 are allowed.

The Office action stated that Claims 30-32 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. Claim 30 has been amended to include all of the limitations of claim 25 and should therefore be allowable.

Claims 31 and 32 depend upon claim 30 and should also be allowable.

After entry of this amendment, there remain:

20 total claims 2, 4-10, 21-24, 25-32

3 independent (1, 8, 25)

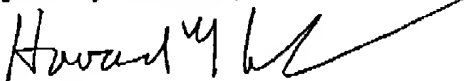
Conclusion

The claims should be allowed.

No new matter is entered by this Amendment.

Applicant has made a diligent effort to amend the claims of this application so that they define novel structure which is non-obvious. If there are still some issues to be resolved, the Examiner is invited to contact the undersigned.

Respectfully submitted,



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CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office (Fax No. 703-872-9306) on July 14, 2004.

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Date of Person signing : July 14, 2004